REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION FOR THE YEAR 1991

Volume II

GENERAL ASSEMBLY

OFFICIAL RECORDS: FORTY-SIXTH SESSION

SUPPLEMENT No. 30 (A/46/30)

UNITED NATIONS

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NOTE

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REVIEW OF THE FUNCTIONING OF THE INTERNATIONAL CIVIL SERVICE COMMISSION

I. EXECUTIVE SUMMARY

1. The International Civil Service Commission (ICSC) welcomed the constructive review of its functioning and the opportunity to comment on the document prepared by the Consultative Committee on Administrative Questions (CCAQ) and approved by the Administrative Committee on Coordination (ACC). Given its primary responsibility to preserve and strengthen the common system, the Commission viewed the recent requests by the General Assembly to improve its working methods as a timely means of achieving that end. The Commission noted that the ACC document (A/46/275) indicated that, overall, ICSC had functioned relatively well and that its statute was a healthy instrument.

2. Throughout the 16 years of its existence the Commission had been cognizant of both its complex mandate and its arduous task. In arriving at its recommendations and decisions it had attempted at all times to act technically, impartially and independently. That had required a carefully balanced appreciation of the interests of all parties, the Member States, and its interlocutors, the representatives of the organizations and of the staff. At certain junctures, those competing and often conflicting interests had made it difficult for the Commission to fulfil its functions without generating intense controversy.

3. The Commission had at times expressed concern and frustration as regards its own functioning and the overall machinery for dealing with human resources management in the common system. While the Commission did not fully concur with the analysis of problems and the recommendations proposed by ACC, it did agree that improvements in the personnel policy-making process had been and should continue to be made. The Commission noted, however, that since it did not function alone, the other interested parties mentioned above had a role to play in assisting the Commission to carry out its mandate.

4. In recent years, criticism of the Commission had centred on its lack of transparency and the need to improve its reporting methods. The ACC document pointed out that ICSC had responded positively to criticisms voiced by introducing a number of constructive changes. These included an improved reporting format, the opening of its decision-taking sessions to representatives of the organizations and of the staff and the establishment of working groups on important technical issues before it. The concept of working groups, consisting of members of the Commission and its secretariat, as well as representatives of the organizations and of the staff, which had grown out of the comprehensive review of the conditions of service of staff in the Professional categories, had enabled participants to engage in free discussion, unrestricted by the formalities of the sessional machinery, and to arrive at their recommendations to the Commission through consensus. Because it recognized that no amount of improvement would render completely transparent the highly technical issues before it, the Commission would continue to seek ways in which to make its reports more understandable.

5. The Commission noted that the ACC document singled out some areas where criticism still remained and which, from the organizations' standpoint, fell

into three broad groups: increasing politicization; lack of appreciation for the differences among organizations; and an overburdened work programme and regulatory approach to issues.

6. With respect to the increasing politicization, the Commission affirmed that it had always acted independently and objectively, basing its recommendations and decisions on sound technical considerations. It firmly rejected all allegations of politicization, pointing out that there was no evidence whatsoever of the Commission as a body, or of individual members, giving way to pressure from any country, group of countries or specific interests. The Commission noted that it was often those decisions on which its interlocutors disagreed that were termed "political".

7. The Commission was aware that criticisms of politicization also arose in connection with the qualifications of members and the selection process. The Commission, which itself had no role to play in the process, supported an improvement in the operational aspect of the nomination procedures in order to bring them more into line with article 4 of its statute. The Commission considered that, while continuity in its membership was necessary and desirable because of the time required to master the complex issues with which the Commission dealt, infusions of new blood and new thinking from time to time were also highly desirable. To achieve that balance the Commission was in favour of limiting the number of terms which a member could serve to a maximum of three four-year terms. While recognizing that such matters were often beyond the control of the General Assembly, the Commission expressed a preference for ascertaining in advance whether candidates nominated would indeed be available to serve out their full terms and fulfil the responsibilities entailed in those mandates. Recognizing that, despite the best intentions force majeure sometimes obliged a member to be absent, the Commission was of the firm view that alternates should not substitute for absent members. Indeed, that was precluded by article 3 of the Commission's statute which provided that members of the Commission be appointed in their personal capacities. Notwithstanding the importance of the General Assembly's voice in the selection of members, the Commission was of the view that more account could be taken of the provisions of article 4 of the statute regarding consultations.

8. The Commission held that, in the past, the organizations could have done more to bring their specific problems directly to the attention of ICSC. The Commission encouraged that process in order to enable it to arrive at mutually satisfactory solutions. By simultaneously taking into account the diversity of the organizations and their differing needs, by respecting the decisions of the General Assembly and by bearing in mind the constraints of the Member States, the Commission had endeavoured to carry out its responsibility to facilitate the institutions of the system in the efficient delivery of their programmes. In making its recommendations and taking its decisions the Commission had also endeavoured to take into account the differences among the organizations. In that respect the Commission intended to examine system-wide approaches to introducing a limited degree of flexibility within the common system that would take account of the legitimate concerns and unique needs and problems of the different organizations. The Commission stressed that a common system could function effectively only if there was cooperation and good will on all sides.

9. A recurring theme in the Commission, and one to which it attached paramount importance, was the cohesiveness of the common system. The Commission recalled that it had been created by the General Assembly to regulate and coordinate the conditions of service of the United Nations common system. The various organizations were, in their turn, bound to the Commission by the relevant provisions of agreements as set forth in article 9 of the Commission's statute. The General Assembly was therefore not only the sovereign authority of ICSC but, through the linkage described above, had overall responsibility for all common-system matters as well.

10. The Commission agreed with the ACC document in identifying workload management as one of its most pressing problems. The Commission did not believe, however, that the ACC proposals would assist it in resolving that problem. Recommendation 9 of the ACC document addressed, inter alia, the problem of the ICSC workload by suggesting the creation of a committee to set agendas - added machinery that, in the Commission's view, would not guarantee a lighter agenda. The Commission recognized that increasingly heavy agendas made it impossible, in the limited time at its disposal, to give full and in-depth consideration to all issues and compelled it to postpone directing its attention to certain areas within its competence. The Commission perceived a certain incompatibility between the breadth of the issues it was required to cover and the time allotted to cover them. In examining ways to resolve that conflict, the Commission concluded that in future either its agenda must be reduced or its means increased.

11. Since in recent years the Commission had been meeting twice a year (supplemented on three past occasions by special interim sessions) in sessions of three weeks' duration, it required a mechanism that would enable it to utilize its meeting time as efficiently as possible. The need for members to familiarize themselves with the changing complexities of the more technical issues persuaded the Commission that in future it should hold a two- to three-day briefing prior to its sessions as well as informal meetings, as need arose, in the course of a session. During those briefing sessions the secretariat would answer questions and provide further explanations concerning the priority policy matters before the Commission. One of the features which the Commission was trying to improve was the speed of its reporting to the General Assembly. The briefings described above would enhance that process as well as facilitate later discussions and enable the Commission to avoid postponing decisions while clarifications were sought.

12. In line with its desire to maximize its efficiency and streamline its working methods, the Commission also decided that it would concentrate its attention as a body only on major policy issues; other issues, such as the development of job-classification standards at particular duty stations, the application of the hardship duty-station scheme or the application of other methodologies, would be dealt with at another level, either by the Chairman, the Vice-Chairman or a small subgroup composed of designated Commission members, as appropriate. It was understood that any member of the Commission could request that any agenda item be considered by the full body. The modalities for such delegation of authority would need further elaboration and undoubtedly a certain amount of experimentation. The Commission was open to the idea of asking a subgroup of its members to stay on beyond the closure of sessions in order to deal with unfinished business or sort out minor policy

issues. It was aware that the related budgetary implications required a more flexible approach to the budgetary process.

13. The Commission also considered other means of streamlining its agenda, such as taking up in the spring session those issues on which decisions could be taken and holding preliminary discussions on the more substantive issues which required lengthy debate; the summer session could then be left entirely for final consultations with the interested parties and for decisions by the Commission. The Commission also considered presenting to the General Assembly: in budgetary years, a report for information purposes with regard to which the Assembly was invited to take note and give its guidance, as appropriate; and, in non-budgetary years, a report on issues which required action by the Assembly. These considerations are more fully explored in paragraph 41 below in response to recommendation 9 in the ACC document.

14. The Commission pointed out that a necessary component of the above proposal was the setting of clear agendas, on which all interested parties would have an opportunity to comment, in advance of sessions. That would eliminate the current practice whereby requests for additions to the agenda continued to be made up until the last minute. The Commission remained flexible about adding items that were deemed to be of such urgency that they could not await another session.

15. The Commission was faced annually with new requests from the General Assembly. While some of those requests did not require replies in the following year, many did and were added to requests of previous years. The Commission wished to inform the Assembly that it remained ready to undertake any task which the Assembly assigned to it but insisted on the need for an appropriate time-frame, as well as budgetary resources, to enable it to conduct the necessary research and prepare its responses. The Commission also underscored the need for prioritization of these requests by the Assembly itself.

16. ACC noted that one of the most positive outcomes of the review process had been the openness with which the Commission now conducted its business. Over the past several years the Commission had, for the most part, set aside its rule of procedure concerning executive sessions and conducted its business in open sessions, including all of its decision-taking. That had led to increased communication with all of its interlocutors, communication which it wished to develop further in the form of visits whereby members could familiarize themselves with the headquarters and field duty stations of the organizations. The Commission stressed that such direct contacts facilitated its concrete knowledge of, and solutions to, the particular problems that existed in the individual organizations.

17. The Commission particularly welcomed the opportunity to address rule 33 of its rules of procedure concerning the financial implications of its recommendations and decisions. The Commission was convinced of its duty to concern itself with financial implications that exceeded the scope of the routine budgetary process. It believed, moreover, that assessment of the short-term and long-term cost-effectiveness of its recommendations and decisions was an integral and essential part of its ability to function.

18. In conclusion, the Commission attached great importance to maintaining the cohesiveness and unity of the common system. It recognized its own responsibility to contribute to the strengthening of the common system by demonstrating an understanding of the organizations' constraints in carrying out its recommendations and decisions and by exhibiting flexibility, where possible, towards the differing needs of the organizations. The Commission also underscored the role of its interlocutors in improving its functioning and the notion of joint accountability since, in the final analysis, it could only function as effectively as was made possible by the interested parties.

II. BACKGROUND

19. The Commission recalled that four separate General Assembly resolutions had dealt with requests related to its functioning. Resolutions 42/221 and 43/226 requested ICSC itself to review its functioning, while resolution 44/198 assigned responsibility for that process to the Secretary-General of the United Nations together with his colleagues in ACC. That had been followed by resolution 45/241, which reiterated earlier requests. The Commission had kept the item on its agenda since its first discussion in 1988 and would continue to do so as required.

20. The idea for the creation of the Commission and the purpose for which it was established are briefly outlined below. In 1970, at the twenty-fifth session of the General Assembly, the Fifth Committee considered a proposal to increase the salaries for the Professional and higher categories. In its report on that proposal, the Advisory Committee on Administrative and Budgetary Questions (ACABQ) had drawn attention to a number of anomalies and imperfections in the then existing method of setting Professional salaries, and had concluded that a thorough review of the United Nations salary system was needed. The Assembly decided that that review should be carried out by a special committee of experts designated by Governments.

21. The Special Committee, which began its work in June 1971, unanimously supported the view of the executive heads that a "central organ is necessary to deal with many of the common problems with which they are faced in personnel and salary administration". 1/ The Secretary-General had recommended the establishment of a regulatory commission in the area of conditions of service generally as it already existed in the area of pensions. The majority of the Special Committee's members were in favour of an intergovernmental commission because they felt that the best way for Member States to ensure that the resources they made available to the international organizations were wisely used was for them to play an active part in formulating and applying salary and staff policies. Under the Charter of the United Nations, the General Assembly is responsible for discharging the functions of the United Nations with regard to the coordination of the policies of the specialized agencies, including salary and personnel matters. Therefore, since the main function of a commission would be to coordinate the administrative policies of the common system as a whole, it was decided that the commission should be set up as a subsidiary organ of the General Assembly.

22. The Commission recalled in that connection that in 1972 the Special Committee for the Review of the United Nations Salary System, in discussing the then proposed commission, stated that it would replace a number of existing inter-agency organs of coordination. The report of the Special Committee singled out the following bodies:

> "We have in mind, first the independent bodies established by ACC to advise it on conditions of service, namely, the International Civil Service Advisory Board (ICSAB) and the Expert Committee on Post Adjustments (ECPA), and, second, the Consultative Committee on Administrative Questions (CCAQ), which, as already noted, assists ACC in the discharge of its responsibilities for coordination of policies and practices at the intersecretariat level." 2/

23. The General Assembly on 19 December 1972, by its resolution 3042 (XXVII), decided in principle to establish ICSC as an independent expert body that would be responsible directly to it and requested the Secretary-General, together with his colleagues in ACC, to submit detailed proposals, including a draft statute. The draft statute, approved by Assembly resolution 3357 (XXIX) of 18 December 1974, empowered the Commission to regulate and coordinate the conditions of service of the United Nations common system. The articles of the ICSC statute were drafted in 1973 by the Secretary-General together with his colleagues in ACC after consultation with the staff representatives. Both the broad principles underlying the draft statute and the specific provisions to be included in it were the subject of extensive inter-agency discussions. The Secretary-General and his colleagues also consulted the International Civil Service Advisory Board (ICSAB), the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Member States. The precise wording of the statute was an intricate process that was greatly debated by the Member States.

24. The current statute was, to a large extent, a compromise - the result of a careful balancing of the views of all the above-mentioned parties. The functions and powers of the Commission were clearly set out in articles 9 through 18 of the statute. As for the basis for coordination, article 9 specifically states that:

> "In the exercise of its functions, the Commission shall be guided by the principle set out in the agreements between the United Nations and the other organizations, which aims at the development of a single unified international civil service through the application of common personnel standards, methods and arrangements."

Over the years the Commission had kept this principle at the forefront of its endeavours.

III. VIEWS OF THE COMMISSION ON THE DOCUMENT OF THE ADMINISTRATIVE COMMITTEE ON COORDINATION

25. The Commission stressed at the outset that it was expressing its views at an especially timely moment in its existence and that its comments had to be understood in the context in which it was currently operating. ICSC was of the view that, while it could endorse a number of the ACC recommendations, the ACC document (A/46/275) could have benefited by more clarity and consistency in its analysis. Its recommendations regarding the perceived shortcomings of ICSC, moreover, tended to avoid recognizing the role and responsibility of the other interested parties.

26. The Commission noted with interest that the ACC document, having addressed alternative structures, concluded that there was no inherent deficiency in the provisions of the Commission's statute to which it owed its existence and by which it was required to perform in full independence and with impartiality. It recalled that resolution 43/226 reaffirmed the importance of its role as an independent technical body answerable to the General Assembly and that the review of its functioning was to be carried out with a view to enhancing its work. Indeed, the Commission was also of the view that improvements should remain within the current statutory provisions.

27. The Commission recalled that part of General Assembly resolution 43/226 inviting it to review its rules of procedure at the earliest opportunity. It wished at the current stage to note its awareness of that responsibility, bearing in mind that it was a matter falling within its own competence. However, since the forthcoming decision of the General Assembly on the functioning of ICSC might create the necessity for other changes in the rules, the Commission preferred to undertake that task only after the Assembly had taken its decision.

28. The Commission's views on the ACC recommendations are detailed in paragraphs 29 to 46 below.

Recommendation 1: ACC should enter into discussions with the Fifth Committee to delink ICSC appointments from those of other United Nations bodies.

29. The provisions of article 3.2 of the ICSC statute provided for equitable geographical distribution, a statutory responsibility which had always been respected. Questions raised in the ACC report about the validity of the appointment process rested with ACC and the General Assembly.

Recommendation 2: A tripartite search committee should be created that would develop a roster of candidates for appointment to ICSC.

30. The Commission viewed the recommendation as one that would complicate the task of both ACC and the General Assembly without ensuring a mechanism that would enhance the independence and objectivity of candidates. Noting that the proposed administrative search committee would be dealing with both eminent and high-ranking persons nominated by Governments, the Commission questioned whether such a committee would itself be qualified to judge the merits of candidates and whether, on the contrary, such an approach might not jeopardize the sought-after independence and objectivity of members. Given the history of appointments to ICSC it was clear that the Assembly attached importance to

a mix of knowledge and experience, including that of candidates from within the common system itself. While the ACC document appeared to criticize the lack of private-sector specialized experience on the Commission, the General Assembly had always taken care to draw ICSC members from a variety of technical and administrative backgrounds which in the aggregate made for a felicitous blend of experience and was in accordance with the provisions of article 3.1 of the statute.

Recommendation 3: A profile of qualification requirements should be developed, including reference to the need for a range of experience between members.

31. The Commission found it of paramount importance that its members possess the necessary qualifications, including technical competence, integrity and independence. Without those qualifications the Commission would not have been able to function as effectively as it had over the years. Since article 3.1 provided clear guidance as to the qualification requirements for its members, attempts to clarify or develop further such requirements could result in limiting the scope of the statute. Inherent in the notion of the proposed profile was the potential for creating a narrowly based membership whose uniformity in terms of background and experience would not provide the diversity that enriched and enhanced the work of the Commission. The current statute provided the Secretary-General with clear guidelines for submitting to the General Assembly the names of competent, independent, objective nominees possessing both the relevant qualifications and broad experience. The Commission observed the contradiction between the ACC recommendation for the development of a specific profile and its words in paragraph 36 of the ACC document: "... candidates who match profiles perfectly do not necessarily make the 'best' Commission members, nor do generalists or those without personnel management experience appear to be the 'worst'. In fact, experience shows that those with a more general background and intellectual curiosity may well prove to be the more far-sighted members of the Commission, unencumbered by the constraints of their own professional experience".

Recommendation 4: The cycle of appointments should be revised so as to elect four members in each of the first three years of a four-year cycle and three members in the last year of the cycle.

32. The Commission noted that the cycle for election was fixed by article 5 of the statute, hence the suggested revision would require a statutory change. Since the existing election cycle had heretofore worked well, it was difficult to see what benefit or improvement in the Commission's functioning could result from such a change. Since questions had also been raised about the number of members' mandates, the Commission declared itself in favour of limiting appointments to a maximum of three four-year terms.

Recommendation 5: ACC should provide comments on ICSC's annual report which would be presented to the General Assembly and to the other legislative bodies together with the annual report itself.

33. The Commission endorsed the recommendation. In discussing the issue in the past the Commission had considered it important that ACC should become more directly involved in the decisions and recommendations emerging from the Commission and had recommended that the General Assembly should have, at the time the ICSC report was considered, the comments of ACC thereon.

Recommendation 6: ACC's representative(s) should address the Fifth Committee in connection with the consideration of ICSC's report; to complement rule 33 of the rules of procedure, the ACC representatives would explain how the measures proposed by ICSC would be financed by the organizations of the common system.

34. The Commission noted that the above recommendation on ACC representation before the Fifth Committee of the General Assembly was a matter for the Assembly to decide. The Commission stressed that while it was not within its mandate to intervene in the internal budgetary processes of the organizations it had the obligation vis-à-vis the General Assembly to consider carefully the financial and administrative implications for the organizations' legislative bodies emanating from its decisions and recommendations and to assess the short- and long-term cost-effectiveness of those recommendations and decisions. The Commission noted further that it had always kept in mind its responsibility concerning the provisions of rule 33 and had always included financial implications in its annual reports to the General Assembly.

Recommendation 7: ACC representative(s) and representatives of the staff should participate fully in the informal consultations of the Fifth Committee on the report of ICSC. Should the Fifth Committee, in the course of its review, find it necessary to change an ICSC recommendation, the Commission, the representatives of ACC and of the staff bodies should be invited to provide their views on such a change.

35. The Commission noted that, at the informal consultations of the Fifth Committee, ACC had been represented by the Secretary of CCAQ, while some organizations had also participated in an observer capacity through their representatives from the New York liaison offices. The Commission was convinced of the usefulness of its secretariat's full participation in the process, together with the secretary of the informal consultations, both as a matter of principle and substance.

36. The Commission reiterated its position expressed in paragraph 300 of its sixteenth annual report, 3/ related to a modification by the General Assembly of an ICSC recommendation; the Commission held the view that in matters of substance such a change by the Assembly should be referred back to the Commission for reconsideration, and therefore at such time both the representatives of ACC and the staff would have an opportunity to make comments.

Recommendation 8: To further understanding of the different needs of the organizations, increased contact should be encouraged between Commission members and all organizations of the common system; this could include the extension of invitations to Commission members to attend "programme" or other meetings of the agencies and the participation of members of the Commission on field visits.

37. The Commission supported the recommendation, which it had itself been encouraging over the years. It expressed the desire for more individual contact with the organizations and their staff, recalling with appreciation its field visits during the 1986 session at Nairobi, as well as subsequent visits made by some members at the invitation of the United Nations Development Programme (UNDP). The Commission viewed the statement, in

paragraph 46 of the ACC document that there had been "too few attempts to associate individual members of the Commission with the specialized agencies, and in particular their governing bodies" as an omission on the part of both ACC and CCAQ rather than of the Commission. The Commission noted that each year, when a different organization played host to ICSC, a golden opportunity was lost to acquaint the Commission with the particular work of the agency, the difficulties encountered, managerial problems, staff/management relations, career development possibilities, the mood of governing bodies, etc. The Commission remained open to learning more about the individual organizations and their problems.

38. In the light of recent events which risked jeopardizing the foundation of the common system, the Commission wished to reiterate its own recommendation that, whenever the legislative bodies of the organizations discussed matters falling within the competence of the Commission, a Commission representative should be invited to attend. The Commission regretted that such had not heretofore been the case and, as a result, a number of misunderstandings and problems had arisen.

Recommendation 9: The General Assembly is invited to endorse the recommendations relating to balancing the Commission's work programme, the creation of a steering committee, the division of work between sessions, the mandate of ACPAQ and the need for long- and medium-term priorities (contained in paragraphs 66 to 73 of the report) for submission to ICSC for appropriate action.

39. The Commission welcomed the attention drawn by ACC to the Commission's work programme which in recent years had become unwieldy, emphasizing compensation issues at the expense of other personnel policy issues. The Commission underlined the importance it had always attached to its responsibilities under articles 13, 14 and 15. As previously noted, balance in the ICSC work programme (para. 67 of the ACC document) was as much a responsibility of its interlocutors as of the Commission. Overcharged agendas were not the creation of the Commission, but rather of the representatives of the organizations and of the staff, whose requests were added to those emanating from the General Assembly.

40. Regarding the creation of a steering committee (para. 69 of the ACC document) to assign priorities and plan the Commission's work programme, the Commission saw no need to formalize a process that was already in place. The Commission pointed out that it had already been the practice for some years to provide to all participants draft agendas for the next session during the ongoing session. Hence, the representatives of the organizations and the staff had consistently been given the opportunity to comment and express their views on the draft agendas before they were finalized. The Commission's current rules of procedure 6 through 9, and in particular rule 6, provided that agendas should be determined by the Executive Secretary, in accordance with the statute and in consultation with the Chairman. The Commission had long been giving a broad interpretation to this rule by inviting discussion and soliciting the comments of its interlocutors before finalizing the agendas for future sessions. The Commission stressed that while the ACC document was calling for balance in the work programme, the same parties continued at the same time to request the addition of items long after discussions on the agenda had been concluded and items agreed.

41. The Commission was opposed to dividing into technical and policy groups and to the assignment of "portfolios" related to members' expertise (para. 71 of the ACC document), particularly since such a reorganization of its working methods would not enhance its efficiency or facilitate better understanding of the more technical issues which required an open debate of all members. The Commission was open, however, to exploring other ways of streamlining its working methods such as, for instance, dividing its sessions by issues, considering in the spring session those issues on which decisions could be taken (such as job-classification matters, salary surveys, etc.) and holding preliminary discussions on the more substantive issues which required lengthy debate; the representatives of the organizations and the staff could be asked to make their comments on all issues during the March session, leaving the summer session entirely for final consultations with the interested parties and for decisions by the Commission. Another approach the Commission considered was that of lightening the work of the Fifth Committee, which was obliged on an annual basis to spend long hours on the ICSC report; the Commission considered presenting to the General Assembly in budgetary years a report for information purposes on which the Assembly was invited to take note and give its guidance as appropriate, and in non-budgetary years a report on issues which required action by the Assembly. For the immediate future the Commission decided to organize briefing sessions and to delegate authority for certain subjects, as outlined in paragraphs 11 and 12 above.

42. With respect to the streamlining (para. 72 of the ACC document) of the Advisory Committee on Post Adjustment Questions (ACPAQ), the Commission recalled that it planned to review the terms of reference of ACPAQ and update them if and when necessary. The Commission currently considered that ACPAQ had not exceeded its terms of reference, which therefore did not currently require review. The Commission noted that the Member States had created ACPAQ in order to ensure access to highly technical and independent expertise; in its view, that valuable expertise could not be replaced by a technical subcommittee or consultant. This subsidiary body had served an important function for both ICSC and its interlocutors.

Recommendation 10: A small "search/appointment group" should be established on a tripartite basis to draw up a roster of potential candidates for appointment to the ICSC secretariat both from within and outside the common system.

43. The Commission expressed full confidence in the independence and integrity of its secretariat and therefore saw no need to depart from the current appointment process, which had proved its worth. The Commission noted that its secretariat had always been selected in accordance with the procedures set forth in its statute.

Recommendation 11: More visits by the ICSC secretariat members to specialized agencies should be encouraged. Arrangements to loan ICSC secretariat staff to organizations on request should be developed. Similarly, the secondment of staff from organizations to ICSC on both a short-term and a long-term basis should also be encouraged.

44. The Commission supported the recommendation, so long as its financial and human resource implications were borne in mind. While noting that staff should be obliged to assign priority to their work, the Commission was of the

view that such exchanges could enhance communication between, and better understanding of, the agencies with which staff dealt on a daily basis. The Commission attached importance to the suggestion that staff from the common system organizations should be received in the ICSC secretariat for briefings and general familiarization with its work. It recalled its past preference to recruit staff on secondment because of the obvious advantages inherent in that arrangement, but recognized the importance of tapping other recruitment sources as well so as to ensure balance and objectivity. At the same time, the Commission noted that, when ICSC secretariat posts were advertised, very few applications were received from organizations outside New York.

Recommendation 12: There should be a review of the organization of the secretariat in the light of new programme directives and technological change. In this review, careful consideration should be given to increasing the use of external sources; these could include consulting companies, university departments and experts from Member States.

45. The Commission welcomed a recommendation that involved a management review of the organization of its secretariat and recalled its intention to conduct such a review in the near future.

Recommendation 13: ICSC should be invited to clarify the respective roles of the Chairman, Vice-Chairman and Executive Secretary in terms of article 8 and rule of procedure 13 of the statute.

46. The Commission was satisfied with the description of the roles of those officials as covered by the statute. The Commission recalled the words in paragraph 14 of the ACC document on the matter: "... it is important to underline at the outset that ... the efficient and effective working of any structure or body such as ICSC is dependent not only on its legal or statutory provisions, but on the way those provisions are applied and also on a positive spirit on the part of the members of the Commission, the secretariat and the partners in the consultative process to make those provisions work effectively". The Commission concurred that, since that was a question so closely linked to the technical expertise and individual personalities of the three officers concerned, it would be inadvisable - and perhaps even detrimental in the long run - to attempt to define those roles in a more restrictive way than in the statute.

47. The Commission noted that, although the ACC document made no formal recommendation regarding the location of the ICSC secretariat, the matter had been extensively discussed and for that reason it also wished to give its views. The Commission recalled that a change in location entailed a change in the statute, a matter on which all Commission members expressed reservations and to which most were opposed. Members advanced reasons both for and against relocating the secretariat to Europe. The Commission considered that the location of the secretariat and its Chairman and Vice-Chairman in New York did not affect its ability to understand and serve the common system and its staff worldwide. However, it was also felt that proximity to the headquarters of a larger number of common system organizations could enhance understanding. So far as the ICSC secretariat was concerned, a move would make no difference to that part of its function involving the servicing of Commission sessions.

48. The Commission also considered a document prepared by the Federation of International Civil Servants' Associations (FICSA) and was in agreement with ACC that it would not be appropriate to pursue the FICSA proposals for the negotiation of conditions of service. The Commission was of the view that the notion of direct negotiations was, by definition, incompatible with the concept of an independent, impartial, technical body such as ICSC that made recommendations and took decisions affecting the common system of organizations. The Commission noted that as far back as 1988 the General Assembly had opposed the FICSA proposal for direct negotiations. The Commission pointed out that the staff rules and regulations of all the organizations provided for staff/management relations and that the FICSA proposal was not only contrary to the ICSC statute but was also not in accordance with those staff rules and regulations.

Notes

1/ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 28 (A/8728), vol. II, annex VIII, para. 59.

2/ Ibid., vol. I, para. 136.

3/ Ibid., Forty-fifth Session, Supplement No. 30 (A/45/30).

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